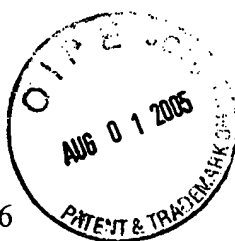


02975.000006



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|----------------------------|
| In re Application of: |) | |
| | : | Examiner: Jason T. Whipkey |
| TAKESHI KOYAMA ET AL. |) | |
| | : | Group Art Unit: 2612 |
| Application No.: 09/978,048 |) | |
| | : | Confirmation No.: 3605 |
| Filed: October 17, 2001 |) | |
| | : | |
| For: OPTICAL APPARATUS |) | August 1, 2005 (Monday) |

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed June 30, 2005.

The Examiner has stated that the inventions of Group I (claims 1-8, 11, 12, and 15-21) and Group II (claims 9, 10, 13, and 14) are patentably distinct from each other because they are related as subcombinations disclosed as usable together in a single combination. However, Applicants respectfully submit that the two groups are closely related and that a proper search of any of the claims of one group would likely include a search of the claims of the other group. Thus, it is submitted that all the claims can be searched simultaneously, and that a


duplicative search with possibly inconsistent results may occur if the restriction requirement is maintained. Therefore, in the interest of economy, both for Applicants and the Office, withdrawal of the restriction requirement is requested.

Nevertheless, in order to comply with 37 C.F.R. 1.143, Applicants provisionally elect to prosecute the invention of Group I, namely claims 1-8, 11, 12, and 15-21.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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